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भाग चार-अ] महाराष्ट्र शासन राजपत्र, फेब्रुवारी १, १९९०/माघ १२, शके १९११ ११

LAW AND JUDICIARY DEPARTMENT

Mantralaya, Bombay 400 032, dated 30th December 1989.

46

CONSTITUTION OF INDIA.

No. IPA-1285/1086/(125)-VI.—In exercise of the powers conferred by proviso to article 309 of the Constitution of India, the Governor of Maharashtra is hereby pleased to make the following rules regulating recruitment to the post of Registrar of Firms (Class-I), Maharashtra State and Assistant Registrar of Firms (Class-II) under the Law and Judiciary Department of the Government of Maharashtra namely :—

1. These rules may be called the Registrar of Firms, Maharashtra State and Assistant Registrar of Firms (Recruitment) Rules, 1989.

2. In these rules, unless the context requires otherwise,—

(a) "Assistant Registrar" means the Assistant Registrar of Firms appointed under sub-section (2) of section 57 of the Indian Partnership Act, 1932 (IX of 1932);

(b) "Commission" means the Maharashtra Public Service Commission;

(c) "degree" means a degree of a Statutory University and includes any other qualifications recognised by Government as equivalent thereto;

(d) "Government" means the Government of Maharashtra.

(e) "Registrar" means the Registrar of Firms appointed under sub-section (1) of section 57 of the Indian Partnership Act, 1932 (IX of 1932).

3. Appointment to the post of Registrar shall be made either,—

(a) by promotion of a suitable person on the basis of seniority subject to fitness from amongst the persons holding the posts of Assistant Registrar for not less than three years; or

(b) by transfer of a suitable person not below the rank of Deputy Secretary to Government, possessing a degree in law; or

(c) by nomination from amongst candidates who,—

(i) unless already in the service of Government are not more than 35 years of age; and

(ii) possess a degree in law and experience in a responsible position involving interpretation of law or administration of Acts, in a Government Department, local authority or in the opinion of the Commission a reputed business establishment, for not less than 5 years gained after acquiring the said degree; or

(iii) have practiced as an Advocate in the High Court or Courts subordinate thereto for a period of not less than five years;

Part IV-A—(1-2-90)

Provided that preference may be given to a candidate possessing a degree both in Commerce and Law and experience in dealing with accounts :

Provided further that the age-limit may be relaxed by Government on the recommendation of the Commission in favour of candidates possessing exceptional qualifications or experience or both.

4. Appointment to the post of Assistant Registrar shall be made either,—

(a) by promotion of a suitable person on the basis of seniority subject to fitness, from amongst the persons holding the post of Superintendent in any of the offices under the Registrar of Firms; possessing a degree in Law, having experience for not less than three years after obtaining such degree ; or

(b) by transfer on deputation of a suitable officer from the Revenue Department of Government not below the rank of Tahsildar ; or

(c) by nomination from amongst candidates, who,—

(i) unless already in the service of Government, are not more than 35 years of age ; and

(ii) possess a degree in Law ; and

(iii) possess experience involving interpretation of Law or administration of Acts in Government Department, local authority or in the opinion of the Commission a reputed business establishment, for not less than three years gained after acquiring the qualification mentioned in sub-clause (ii) above :

Provided that preference may be given to a candidate possessing degrees both in Commerce and Law, and experience in dealing with accounts :

Provided further that the age-limit may be relaxed by Government on the recommendation of the Commission in favour of candidates possessing exceptional qualifications or experience or both.

5. A person appointed by nomination to any of the posts shall be on probation for a period of two years.

6. A person appointed whether by promotion, transfer or nomination shall be required to pass examinations in Hindi and Marathi according to the rules made in that behalf, unless he has already passed, or has been exempted from passing these examinations.

7. A person appointed whether by promotion, transfer or nomination, to the post of Assistant Registrar shall be liable to transfer anywhere in the State of Maharashtra.

By order and in the name of the Governor of Maharashtra,

S. V. PADHYE,

Under Secretary to Government.